

ORIGINAL

Short Form Order

NEW YORK SUPREME COURT - QUEENS COUNTY

Present: Honorable, ALLAN B. WEISS IAS PART 2
Justice

BENJAMIN PLAZA, JR.,

Plaintiff,

-against-

MICHAEL HEILBRON,

Defendant.

Index No: 700053/09

Motion Date: 8/19/09

Motion Cal. No.: 15

Motion Seq. No.:

The following papers numbered 1 to 8-3 read on this motion by by plaintiff for leave to enter a default judgment and proceed to inquest for an assessment of damages.

PAPERS
NUMBERED

| | |
|--|---------|
| Notice of Motion-Affidavits-Exhibits | 8 - 8-3 |
| Answering Affidavits-Exhibits..... | |
| Replying Affidavits..... | |

Upon the foregoing papers it is ordered that this motion for a default judgment against the defendant, MICHAEL HEILBRON, is granted without opposition.

An inquest and trial on damages shall be held on November 4th, 2009 at 11:00 a.m. in Part 2, courtroom 46 of the Courthouse located at 88-11 Sutphin Blvd., Jamaica, N.Y. Plaintiff shall file a Note of Issue no later than 20 days prior to the date set herein for the inquest.

A copy of the order with notice of entry and a copy of the Note of Issue shall be served on the defendant, MICHAEL HEILBRON by regular mail at least twenty (20) days prior to the scheduled inquest date.

Dated: August 31, 2009
D# 39

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J.S.C.